

APPEAL NO. 170228

FILED APRIL 25, 2017

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing (CCH) was held on December 28, 2016, in (city), Texas, with (hearing officer) presiding as hearing officer. The hearing officer resolved the disputed issues by deciding that: (1) the compensable injury sustained on (date of injury), does extend to mild joint effusion and medial and lateral meniscus tears of the left knee; (2) the compensable injury sustained on (date of injury), does not extend to moderate osteoarthritis with tri-compartmental cartilage loss in the patellofemoral and medial compartments of the left knee; and (3) the respondent (claimant) does have disability from June 10, 2016, and continuing through the date of the CCH. The appellant (self-insured) appeals the hearing officer's determination of disability as well as the hearing officer's determination that the compensable injury extends to mild joint effusion and medial and lateral meniscus tears of the left knee. The self-insured contends that the evidence does not support the appealed determinations. The appeal file does not contain a response from the claimant.

The hearing officer's determination that the compensable injury does not extend to moderate osteoarthritis with tri-compartmental cartilage loss in the patellofemoral and medial compartments of the left knee was not appealed and has become final pursuant to Section 410.169. We note the decision and order fails to list the zip code for the registered agent for service of process of the self-insured.

DECISION

Affirmed as reformed.

The parties stipulated that the claimant sustained a compensable injury on (date of injury), at least in the form of a chest contusion, left shoulder contusion, and bilateral knee contusions and that the Texas Department of Insurance, Division of Workers' Compensation-selected designated doctor, (Dr. H) was asked to provide an opinion regarding the extent of the injury and disability.

In her discussion of the evidence, the hearing officer noted in part that the preponderance of the medical evidence supports the designated doctor's opinion that the joint effusion was part of the compensable injury. The hearing officer determined that the (date of injury), compensable injury extends to mild joint effusion. However, the

hearing officer failed to make a finding of fact regarding the specific condition of mild joint effusion. In Finding of Fact No. 3 the hearing officer found that the medial and lateral tears of the left knee did arise out of or naturally flow from the compensable injury sustained on (date of injury). It is clear from her discussion that the hearing officer was persuaded based on the evidence presented at the CCH that mild joint effusion was part of the compensable injury but inadvertently failed to include mild joint effusion in her findings of fact. Accordingly, we reform Finding of Fact No. 3 to include mild joint effusion and read as follows:

Finding of Fact No. 3. The medial and lateral tears of the left knee and mild joint effusion did arise out of or naturally flow from the compensable injury sustained on (date of injury).

The hearing officer's determination that the compensable injury sustained on (date of injury), does extend to mild joint effusion and medial and lateral meniscus tears of the left knee is supported by sufficient evidence and is affirmed.

The hearing officer's determination that the claimant does have disability from June 10, 2016, and continuing through the date of the CCH as a result of the compensable injury sustained on (date of injury), is supported by sufficient evidence and is affirmed.

The true corporate name of the insurance carrier is **EL PASO COUNTY HOSPITAL DISTRICT (a self-insured governmental entity)** and the name and address of its registered agent for service of process is

**JAMES VALENTI, CEO  
4815 ALAMEDA AVENUE  
EL PASO, TEXAS 79905.**

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Margaret L. Turner  
Appeals Judge

CONCUR:

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K. Eugene Kraft  
Appeals Judge

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Carisa Space-Beam  
Appeals Judge